

**SCHIFF HARDIN & WAITE**

PATENT DEPARTMENT
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CHICAGO, ILLINOIS 60606

CONFIRMATION NO.: 5847

In re application of:

Kuphal et al.

SERIAL NO.:

09/710,902

GROUP ART UNIT: 3628

FILED:

November 14, 2000

EXAMINER: C. Church

TITLE:

"UROLOGICAL PATIENT POSITIONING TABLE"

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington D.C. 20231

SIR:

Transmitted herewith is an amendment in the above-identified application.

☒ No additional fee is required.

The fee has been calculated as shown below.

| CLAIMS AS AMENDED | | | | | | |
|---|--|-------|--|-------------------------|---|--------------------------|
| | (2) CLAIMS REMAINING AFTER AMENDMENT | | (4) HIGHEST NO. PREVIOUSLY PAID FOR | (5) PRESENT EXTRA | (6) RATE | (7) ADDITIONAL FEE |
| TOTAL CLAIMS | * | MINUS | ** | X | () X 9.00 () X 18.00 | |
| INDEP. CLAIMS | * | MINUS | | X | () X 40.00 () X 84.00 | |
| Application amended to contain any multiple dependent claims not previously paid for. | | | | () YES () NO | () \$140.00 () \$280.00 ONE TIME | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | | \$0.00 |

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20 write "20" in this space.

- ☐ Applicants petition the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated _____ for _____ months so that the period for response is extended to _____. A check in the amount of \$_____ is attached to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to deposit account No. 501519. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$_____ is attached.
- ☐ A check for \$_____ accompanying IDS under 37 CFR 1.97(c) is attached
- ☐ A check for \$_____ and Petition for Consideration of IDS under 37 CFR 1.97(d) is attached.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519. A duplicate of this sheet is enclosed.
- When phoning re this application, please call (312) 258-5500.

SCHIFF HARDIN & WAITE (Customer Number: 26574)

Patent Department

BY Steven H. Noll (28,982)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on December 5, 2002

Steven H. Noll

NAME OF APPLICANT'S ATTORNEY

Steven H. Noll

SIGNATURE

December 5, 2002

DATE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE TO RESTRICTION REQUIREMENT

APPLICANTS: Kuphal et al. CONFIRMATION NO.: 5847
SERIAL NO.: 09/710,902 GROUP ART UNIT: 3628
FILED: November 14, 2000 EXAMINER: C. Church
TITLE: "UROLOGICAL PATIENT POSITIONING TABLE"

Assistant Commissioner for Patents,
Washington, D.C.

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S I R:

In an Office Action dated November 6, 2002, the Examiner imposed a restriction requirement 35 U.S.C. §121, stating that the application contains 2 sets of claims respectively directed to patentably distinct inventions, namely claims 1-5, 7-12, and claim 6. Applicant herewith confirms the election of claims 1-5, 7-12, with traverse, for the reasons set forth in Applicants' previous response filed June 5, 2002.

In the same Office Action, the Examiner also requested that a copy of the claims be provided identifying the claim elements with reference numerals. A copy of the claims with reference numerals included therein is submitted herewith. The use of these reference numerals in the claims, however, is not in any manner intended as a limitation as to the scope of the claims. The reference numerals are provided solely to assist the Examiner in examining the application.

The Examiner also requested further illustrations or commercial literature showing the invention in perspective. In response to this request, Applicants submit two brochures for the Uroscop Access, which is a commercial embodiment of the

subject matter disclosed and claimed in the present application, but with certain distinctions between the subject matter of the present application and the commercial realization. Page 7 from the brochure entitled "Symmetrical Patient Access in Urology" is submitted herewith wherein components 11 and 12 that differ in the present application, compared the commercial realization in that brochure, have been identified. Additionally, page 14 from that brochure is also submitted wherein the head and foot ends of the system are indicated, as well as the horizontally proceeding axis A. These features are also indicated on page 12 from the other brochure, entitled "X-ray System for Urological Diagnosis and Therapy." The bracket arm 5 is also indicated on page 12 of this brochure.

It should be noted that not all of the embodiments disclosed in the present application are included in the commercial version of the product.

Early examination on the merits is respectfully requested.

Submitted by,

 (Reg. 28,982)

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